

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

- 90 -

UNITED STATES OF AMERICA,)
Plaintiff,) 2:15-cr-00265-RCJ-GWF-02
v.)
WILLIAM G. SEAMAN-RUPP,)
Defendant.)

ORDER OF HOME CONFINEMENT

COMES NOW the Defendant, WILLIAM SEAMAN RUPP, by and through his counsel, TERRENCE M. JACKSON, ESQUIRE, and moves this Honorable Court to modify the sentence to recommend the Bureau of Prisons (BOP) consider him for placement at a residential reentry center and for home confinement as soon as he is eligible pursuant to 18 U.S.C. § 3621(b)(4) and § 3624(c)(1).

A federal defendant who has been convicted and sentenced to a term of imprisonment is committed to the custody of the BOP, 18 U.S.C. § 3621(a). The BOP “shall designate the place of the prisoner’s imprisonment.” 18 U.S.C. § 3621(b); see *United States v. Ceballos*, 671 F.3d 852, 855 (9th Cir. 2011) (recognizing that the BOP “has the statutory authority to choose the locations where prisoners serve their sentence”).

Pursuant to 18 U.S.C. §§ 3621(b) and 3624(c), the BOP has discretion to place an inmate in a residential reentry center (“RRC”) and/or home confinement. *See, Sacora v. Thomas*, 628 F.3d 1059, 1061-62 (9th Cir.2010) (recognizing that these two “statutory provisions govern the BOP’s authority to place inmates in its custody in RRCs”). Section 3621(b) authorizes the BOP to “designate the place of the prisoner’s imprisonment” upon consideration of, in pertinent part:

1 (4) any statement by the court that imposed the sentence-
2 (A) concerning the purposes for which the sentence to imprisonment was determined to be
3 warranted; or
4 (B) recommending a type of penal or correctional facility as appropriate; 18 U.S.C. §§
5 3621(b)(4)(A)-(B).

6 Section 3624(c)(1), as amended by the Second Chance Act (“SCA”), states that the BOP “shall, to
7 the extent practicable, ensure that a prisoner serving a term of imprisonment spends a portion of the
8 final months of that term ... under conditions that will afford that prisoner a reasonable opportunity
9 to adjust to and prepare for the reentry of that prisoner into the community.” 18 U.S.C. § 3624(c)(1).
10 An appropriate placement may include an RRC or home confinement. 18 U.S.C. § 3624(c)(1)-(2).
11 The SCA also requires the BOP to issue regulations designed to ensure that RRC placements are (1)
12 “conducted in a manner consistent with section 3621(b),” (2) “determined on an individual basis,”
13 and (3) “of sufficient duration to provide the greatest likelihood of successful reintegration into the
14 community.” 18 U.S.C. § 3624(c)(6).

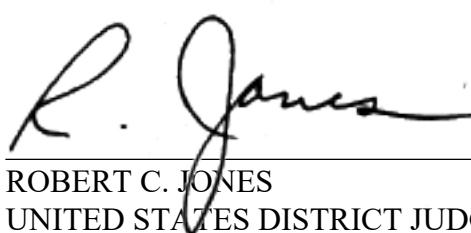
15 Defendant respectfully submits he has been a model inmate while incarcerated. Defendant
16 has taken advantage of numerous education programs while in prison. (*See Exhibit ‘A’*) Defendant
17 has also, with the help of prison counselors, has developed a comprehensive Individualized Reentry
18 Plan. (*See Exhibit ‘B’*)

19 Based on all these facts, Defendant Rupp moves this Honorable Court to recommend his
20 placement at a residential reentry center and for home confinement when he is eligible

21 Respectfully submitted this 3rd day of February, 2020.

22 IT IS SO ORDERED this 21st day of February, 2020.

23
24
25
26
27
28



ROBERT C. JONES
UNITED STATES DISTRICT JUDGE